

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Martha D. De Arto

DATE: May 25, 1999



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Darwin J. Prockop <i>et al.</i>	: Group Art Unit 1651 : : :
Appln. No:	08/913,918	: Examiner: Jean C. Witz : :
Filed:	December 8, 1997	: Attorney Docket : :
Title:	ISOLATED STROMAL CELLS AND METHODS OF USING SAME	: No. 9855-14U1 : (TJU-1857)

PRELIMINARY AMENDMENT

Preliminary to examination of the above-identified application, please amend the application as follows.

In the Claims:

Please amend claim 37 as follows:

37. (Amended) Immunologically isolated stromal cells that comprise a gene construct, said gene construct comprising a nucleotide sequence that encodes a beneficial protein, wherein said gene construct is operably linked to regulatory elements which function in said stromal cell.

Please add the following new claims, claims 55-68.

55. The immunologically isolated stromal cells of claim 37, wherein said gene construct comprises a herpes virus thymidine kinase gene.